

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case Number 21-20355

Honorable David M. Lawson

DONALD STANLEY LAVIGNE,

Defendant.

_____ /

ORDER STRIKING IMPROPER FILING

On December 30, 2021, the government filed a brief concerning the competency of the defendant. The brief appears to be an effort to preempt a competency challenge, however, no motion to evaluate the defendant's competency has been filed. The government's brief therefore is an impertinent "other paper," *see* Fed. R. of Civ. P. 11(b), which may be struck because it was filed for an improper purpose, *see id.* 11(b)(1), and because the Court has the inherent power to control its own dockets, *see Anthony v. BTR Auto. Sealing Sys.*, 339 F.3d 506, 516 (6th Cir. 2003).

Accordingly, it is **ORDERED** that the government's brief regarding the defendant's competency (ECF No. 10) is **STRICKEN**.

s/David M. Lawson

DAVID M. LAWSON

United States District Judge

Dated: January 13, 2022